

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

December 14, 2007

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

PSF No.: 07OD-165

Oahu

Grant of Perpetual, Non-Exclusive Easement to Department of Defense, for Civil Defense Warning and Communication Siren Purposes, and Issuance of a Construction & Management Right-of-Entry Permit, Hauula, Koolauloa, Oahu, Tax Map Key: (1) 5-3-001:039(por.).

APPLICANT:

Department of Defense, State of Hawaii

LEGAL REFERENCE:

Section 171-95, Hawaii Revised Statutes, as amended;

Section 171-55, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands of Hauula situated at Hauula, Koolauloa, Oahu, identified by Tax Map Key: (1) 5-3-001:039 (por.), as shown on the attached map labeled Exhibit A.

AREA:

25 Sq. ft., more or less.

ZONING:

State Land Use District: Urban
County of Oahu CZO: R-5 (O)

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act

DHHL 30% entitlement lands pursuant to the Hawaii State
Constitution: YES _____ NO X

CURRENT USE STATUS:

Vacant and unencumbered.

CHARACTER OF USE:

Right, privilege and authority to construct, use, maintain, repair, replace and remove Civil Defense warning and communication siren equipment over, under, and across State-owned land.

COMMENCEMENT DATE:

To be determined by the Chairperson.

CONSIDERATION:

Gratis

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

The project is exempt from the preparation of an environmental assessment under the authority of Chapter 343, HRS and Chapter 11-200, HAR. Exemption Class No. 3. See Exhibit B attached.

APPLICANT REQUIREMENTS:

Applicant shall be required to:

- 1) Provide survey maps and descriptions according to State DAGS standards and at Applicant's own cost; and
- 2) Process and obtain subdivision at applicant's own cost.

REMARKS:

The Department of Defense (DOD), State of Hawaii, desires the site for the installation of a new civil defense warning siren. The proposed siren will serve the Punaluu area and will alert nearby homeowners and beach goers when there is an emergency. In the event of an emergency, the siren will broadcast an audible signal of about 121 dbA at a distance of 100 feet. The audible signal is estimated to reach a distance of about 3,400 feet (depending on background sound levels and other sound impediments). The siren will be solar powered using a photovoltaic panel that is mounted near the top of the pole. After the siren is installed, the State Civil Defense staff or their contractor will conduct occasional servicing (such as changing batteries, replacement of siren components, etc.) by a service truck. Because this siren site is a priority (the applicant would like to have site work begin around December, 2007 and be completed after 2 months), either DAGS or DOD may be bidding this project (the construction funds are currently available) and will hire a contractor to install the siren.

Requests for comments were solicited from:

Agency	Comments
Department of Health-Hazard Evaluation & Emergency Response Office	No Response
DLNR- Historic Preservation	No Response
Department of Transportation, Highways	No Response
City & County of Honolulu, Planning & Permitting	No Response
City & County of Honolulu, Department of Facilities Maintenance	No Response
City & County of Honolulu, Department of Design & Construction	No Response
Office of Hawaiian Affairs	No Response

Staff respectfully requests Board approval for the Civil Defense warning and communication siren construction & management right-of-entry and perpetual, Non-exclusive easement.

RECOMMENDATION:


That the Board, subject to Applicant fulfilling the Applicant Requirements above:

1. Authorize the issuance of a perpetual non-exclusive easement to the Department of Defense for civil defense warning and communication siren purposes subject to the following conditions:
 - A. The standard terms and conditions of the most current perpetual easement document form, as may be amended from time to time;
 - B. Review and approval by the Department of the Attorney General; and
 - C. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.
2. Authorize the issuance of a construction & management right-of-entry to the Department of Defense, subject to the following:
 - A. The standard terms and conditions of the most current right-of-entry form, as may be amended from time to time;
 - B. Such other terms and conditions as may be prescribed by the chairperson to best serve the interest of the State.

December 14, 2007

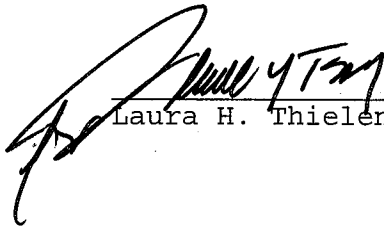
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Respectfully Submitted,



Melvyn Ho
Land Agent

APPROVED FOR SUBMITTAL:



Laura H. Thielen, Chairperson



TO KAHUKU

TMK 5-3-1:41

KAMEHAMEHA HWY.

PROPOSED SIREN
LOCATION AND
EASEMENT IN
FAVOR OF DOD
SHOWN HATCHED

with

being

ing

Koolau Railroad

173° 23' → 100.5

164° 22' → 102.0

157° 22' → 55.1

154° 55' → 51.3

TO KANEHE

323.2

267° 51' →

20

0.754 Ac.

333.15

21

0.777 Ac.

343.10

22

0.788

343.1

TMK 5-3-1:23

23

0.827 Ac.

343.1

20 FOOT ROAD

267° 51' → 343.1

24

TMK 5-3-1:24

0.827 Ac.

343.1

25

0.788 Ac.

343.1

26

0.79 Ac.

267° 51' → 335.3

27

0.76 Ac.

267° 58' → 311.5

28

0.66 Ac.

268° 15' → 260.5

Abandoned

0.67 Ac.

100.5

352° 10' → 201.0

100.5

100.0

105.0

357° 51' →

105.0

100

100

LOT C, old Gov't Road Abandoned

SEA

STATE OF HAWAII

TMK 5-3-1:39

Radius 644.3



STATE OF HAWAII
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
P.O. BOX 119, HONOLULU, HAWAII 96810

DECLARATION OF EXEMPTION

from the preparation of an environmental assessment under the authority of Chapter 343, HRS and Chapter 11-200, HAR

Project Title: Install Civil Defense Warning Siren at Punaluu (Siren 422a)

Project Number: 12-14-_____

Project Description: The work includes the installation of a civil defense warning siren and related work.

Consulted parties: None.

Exemption Class No.: 3
Construction and location of single, new, small facilities or structures and the alteration and modification of same and installation of new, small, equipment and facilities and the alteration and modification of same including but not limited to:
(A) single family residences not in conjunction with the building of two or more such units; (B) multi-unit structures designed for not more than four dwelling units is not in conjunction with the building of two or more such structures; (C) stores, offices and restaurants designed for total occupant load of twenty persons or less, if not in conjunction with the building of two or more such structures; (D) water, sewage, electrical, gas, telephone, and other essential public utility services extensions to serve such structures or facilities; and (E) accessory or appurtenant structures including garages, carports, patios, swimming pools, and fences [HAR § 11-200-8(a)(3)].

Exempt Item No. and Description From Agency Exemption List: 23. Civil Defense warning sirens.

Other notes: None.

Date Agency Exemption List Approved: June 26, 1996

I have considered the potential effect of the above listed project as provided by Chapter 343, HRS and Chapter 11-200 HAR. I declare that this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.

Ralph Monta
Chief, Planning Branch
Date: 10/09/07